

1 + 3
80-201-A
143

PETITION FOR ZONING VARIANCE
FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Harvey & Annette Feldman, legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1401.2B.2 (1400.2B.2 & 103.2) to permit a side yard setback of 42' in lieu of the required 50'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)
This custom designed home is oriented to take maximum advantage of solar energy. To achieve this it was necessary to exceed the setback in one small area by 8'.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Contract purchaser _____ Legal Owner _____
Address _____ Address 4014 Carthage Road _____
Randallstown, Maryland 21133
Petitioner's Attorney _____ Protestant's Attorney _____
Address _____

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd day

of January 1980 that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 1st day of April 1980, at 10:00 o'clock A.M.

(over)

4/1/80
10:00 A.M.

APR 22 1980
RECEIVED
ZONING
DIVISION
BALTIMORE COUNTY
BY: [Signature]

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
S/S of St. Paul Ave., 490.8'
W of Sagamore Forest La., 4th District : OF BALTIMORE COUNTY
HARVEY FELDMAN, et ux, Petitioners : Case No. 80-201-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

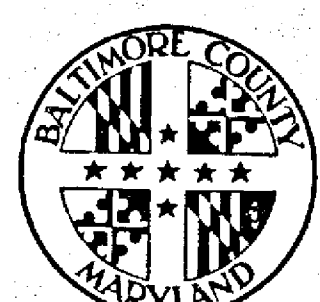
Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman John W. Hession, III
Deputy People's Counsel People's Counsel for Baltimore County
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 19th day of March, 1980, a copy of the foregoing Order was mailed to Mr. and Mrs. Harvey Feldman, 4014 Carthage Road, Randallstown, Maryland 21133, Petitioners.

John W. Hession, III

BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE



PETITION AND SITE PLAN
EVALUATION COMMENTS

Mr. & Mrs. Harvey Feldman
4014 Carthage Road
Randallstown, Maryland 21133

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 22nd day of January, 1980.

William E. Hammond
Zoning Commissioner

Petitioner Harvey Feldman, et ux

Petitioner's Attorney _____ Reviewed by: Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

cc to
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Route Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. & Mrs. Harvey Feldman
4014 Carthage Road
Randallstown, Maryland 21133

RE: Item No. 143
Petitioners-Harvey Feldman, et ux
Variance Petition

Dear Mr. & Mrs. Feldman:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted. This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30 nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:hk

Enclosures

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

February 19, 1980

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #143 (1979-1980)
Property Owner: Harvey & Annette Feldman
S/S St. Paul Ave. 490.8' W. Sagamore Forest La.
Existing Zoning: RC-5
Proposed Zoning: Variance to permit a side setback of 42' in lieu of the required 50'.
Acres: 1.697 District: 4th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements are not directly involved and are as secured by Public Works Agreement #47603, executed in conjunction with the development of "Sagamore Forest - Sections Three and Five", of which, this property comprises Lot 39, Section Five, Sagamore Forest, recorded E.H.R., Jr. 39, Folio 142.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all gradings, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #143 (1979-1980).

Very truly yours,

ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss

cc: J. Wimbley, H. Shalowitz
H-SW Key Sheet
63 NW 35 Pos. Sheet
NW 16 1 Topo
49 Tax Map

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3211

JOHN D. SEYFFERT
DIRECTOR

March 11, 1980

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #143, Zoning Advisory Committee Meeting, January 22, 1980, are as follows:

Property Owner: Harvey and Annette Feldman
Location: S/S St. Paul Ave. 490.8' W. Sagamore Forest Lane
Existing Zoning: RC-5
Proposed Zoning: Variance to permit a side setback of 42' in lieu of the required 50'.
Acres: 1.697
District: 4th

This office has reviewed the subject petition and offers the following comments. There comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

John L. Wimbley
Planner III
Current Planning and Development

BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE & COUNTY HEALTH OFFICER

February 11, 1980

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #143, Zoning Advisory Committee Meeting of January 22, 1980, are as follows:

Property Owner: Harvey & Annette Feldman
Location: S/S St. Paul Ave. 490.8' W Sagamore Forest La.
Existing Zoning: RC-5
Proposed Zoning: Variance to permit a side setback of 42' in lieu of the required 50'.
Acres: 1.697
District: 4th

The proposed dwelling will be served by metropolitan water and a private sewage disposal system. Soil percolation tests have been conducted and are valid until October 9, 1980. The sewage disposal system will be located at least 120 ft. from the dwelling. In order to lower the cost of the proposed septic system, it would be advisable to repave at a location closer to the dwelling and move the septic system to that location; thereby decreasing the amount of cast iron pipe needed in construction.

Very truly yours,

John J. Fawcett
BUREAU OF ENVIRONMENTAL SERVICES

LJP/rth

ORDER RECEIVED FOR FILING

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s), the Variance(s) should be had; and it further appears that the granting of the Variance requested will not adversely affect the health, safety, and general welfare of the community; and, therefore,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 2nd day of April, 1980, that the herein Petition for Variance to permit a side yard setback of forty-two feet in lieu of the required fifty feet, for the expressed purpose of constructing a dwelling utilizing solar energy, in accordance with the site plan prepared by The Architectural Foundation, Inc., and contained in this file, should be and the same is GRANTED, from and after the date of this Order subject, however, to the approval of said site plan by the Department of Public Works and the Office of Planning and Zoning.

[Signature]
Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for the Variance(s) to permit

Zoning Commissioner of Baltimore County



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PAUL H. REINCKE
CHIEF

February 8, 1980

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

Re: Property Owners: Harvey & Annette Feldman

Location: S/S St. Paul Ave. 490.8' W Sagamore Forest La.

Item No: 143 Zoning Agenda: Meeting of 1-22-80

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works. Along Saint Paul Avenue.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER *[Signature]* Noted and Approved: *[Signature]*
Planning Group Fire Prevention Bureau
Special Inspection Division

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Nick Commodari Date: January 30, 1980
FROM: Mr. Charles E. Burnham, Chief
Plans Review
Zoning Advisory Committee
Meeting of January 22, 1980
SUBJECT: _____

The following cases should be made aware of our standard comments unless other wise noted.

ITEM NO. 142	Standard Comment.
ITEM NO. 143	No problem - Standard Comment.
ITEM NO. 144	Not ready for inspection yet.
ITEM NO. 145	Comments
ITEM NO. 146	Comments
ITEM NO. 147	Standard Comments

[Signature]
Charles E. Burnham, Chief
Plans Review

CMB:rrj

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert V. Dubel, Superintendent

Towson, Maryland - 21204

Date: January 22, 1980

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: January 22, 1980

RE: Item No: 141, 142, 143, 144, 145, 146, 147
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,
[Signature]
Mr. Nick Petrovich, Assistant
Department of Planning

MNP/dp

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. W. E. Hammond
Zoning Commissioner
John D. Seyfert, Director
Office of Planning and Zoning
FROM: _____
SUBJECT: Petition No. 80-201-A Item 143

Petition for Variance for side yard setback
South side of St. Paul Avenue, 490.8 feet West of Sagamore Forest Lane
Petitioner - Harvey Feldman, et ux

Fourth District

HEARING: Tuesday, April 1, 1980 (10:00 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

[Signature]
John D. Seyfert, Director
Office of Planning and Zoning

JDS:JGH:hb

DESCRIPTION FOR VARIANCE

BEGINNING for same at a point 490.8' west of Sagamore Forest Lane, located on the south side of St. Paul Ave. Being Lot # 38 as shown on the plat of Section Five, Sagamore Forest Property, recorded in the Land Records of Baltimore County in Plat Book EHK, Jr. No. 39, Folio 142. Also known as 709 St. Paul Avenue.

Mr. William E. Hammond
Zoning Commissioner
Room 109, County Office Building
Towson, Maryland 21204

RE: Case No. 80-201-A
Building Permit Application
No.
Election District

Dear Mr. Hammond:

We, the undersigned, being the owner of the above mentioned property and the applicant for the above referenced building permit, do hereby acknowledge that we are fully aware of your Order being subject to a thirty (30) day appeal period, but wish to go ahead with the construction of improvements on the property prior to the expiration of said appeal period.

We hereby relieve our builder, Baltimore County Maryland and you from any liability or responsibility in this matter and agree to assume any and all financial responsibility for any consequences which might arise during the appeal period if an appeal is filed after construction has begun.

Very truly yours,

[Signature]
Annette Feldman

April 21, 1980

Mr. & Mrs. Harvey Feldman
4014 Carthage Road
Randallstown, Maryland 21133

RE: Petition for Variance
S/S of St. Paul Avenue, 490.8' W
of Sagamore Forest Lane - 4th
Election District
Harve. Feldman, et ux -
Petitioners
NO. 80-201-A (Item No. 143)

Dear Mr. & Mrs. Feldman:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours,

WILLIAM E. HAMMOND
Zoning Commissioner

WEH/srl

Attachments

cc: John W. Hessian, III, Esquire
People's Counsel

PUBLIC NOTICE

PETITION FOR VARIANCE
4th District
ZONING: Petition for Variance for side yard setback.
LOCATION: South side of St. Paul Avenue, 490.8 feet West of Sagamore Forest Lane.
DATE & TIME: Tuesday, April 1, 1980 at 10:00 A.M.
PUBLIC HEARING: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:
Petition for Variance to permit a side yard setback of 42 feet in lieu of the required 50 feet.
The Zoning Regulations to be accepted as follows:
Section 1A04.3B.3 - Building setbacks
Section 1A00.3A.3 - The minimum distance between any building in an R.D.P. zone and any lot line other than a street line shall be 50 feet.
Section 108.3 - Application of Zoning Regulations
All that parcel of land in the Fourth District of Baltimore County beginning for same at a point 490.8 feet west of Sagamore Forest Lane, located on the south side of St. Paul Ave. Being Lot No. 38 as shown on the plat of Section Five, Sagamore Forest Property, recorded in the Land Records of Baltimore County in Plat Book EHK, Jr. No. 38, Folio 142. Also known as 709 St. Paul Avenue.
Being the property of Harvey Feldman, et ux, as shown on plat plan filed with the Zoning Department.
Hearing Date: Tuesday, April 1, 1980 at 10:00 A.M.
Public Hearing: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
BY ORDER OF
WILLIAM E. HAMMOND,
Zoning Commissioner
OF BALTIMORE COUNTY
Mar. 13.

THIS IS TO CERTIFY, that the annexed advertisement of
Balt. County Office of Central Services
Petition for Variance 4th. District
was inserted in the following:
☒ Catonsville Times
☐ Arbutus Times
weekly newspapers published in Baltimore County, Maryland,
once a week for One successive weeks before
the 14th day of March 1980, that is to say,
the same was inserted in the issues of 3/13/80

Office of
COLUMBIA
Publishing Corp.
10750 Little Patuxent Pkwy.
Columbia, MD 21044

March 13, 19 80

COLUMBIA PUBLISHING CORP.
B: Shirley Murrell

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY, IN EQUITY
Plaintiff
vs.
Defendant
CERTIFICATE OF PUBLICATION OF

PETITION FOR VARIANCE
4th District
ZONING: Petition for Variance for side yard setback.
LOCATION: South side of St. Paul Avenue, 490.8 feet West of Sagamore Forest Lane.
DATE & TIME: Tuesday, April 1, 1980 at 10:00 A.M.
PUBLIC HEARING: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
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Petition for Variance to permit a side yard setback of 42 feet in lieu of the required 50 feet.
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Being the property of Harvey Feldman, et ux, as shown on plat plan filed with the Zoning Department.
Hearing Date: Tuesday, April 1, 1980 at 10:00 A.M.
Public Hearing: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
By Order Of
WILLIAM E. HAMMOND,
Zoning Commissioner
of Baltimore County
March 13.

CERTIFICATE OF PUBLICATION
TOWSON, MD., March 13, 19 80
THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., ~~once a week~~
of ~~one time~~ successive weeks before the 1st
day of April, 1980, the first publication
appearing on the 13th day of March
1980.
THE JEFFERSONIAN,
L. Frank Strickler
Manager.
Cost of Advertisement, \$

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 86356
DATE March 24, 1980 ACCOUNT 01-662
AMOUNT \$43.38
RECEIVED FROM: Harvey S. Feldman
FOR: Advertising and Posting for Case No. 80-201-A
88973MAR 25 4338MSC
VALIDATION OR SIGNATURE OF CASHIER

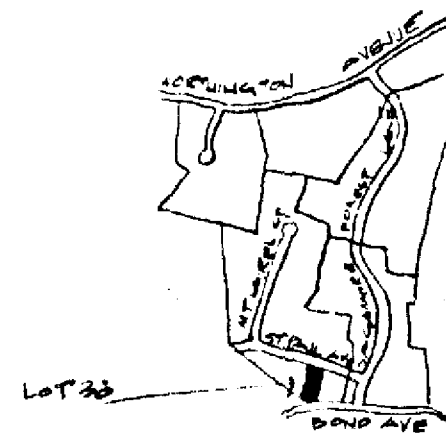
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>MP</u>	Revised Plans: Change in outline or description <u>Yes</u> Map # <u> </u>									
Previous case: <u> </u>										

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 86321
DATE March 4, 1980 ACCOUNT 01-662
AMOUNT \$25.00
RECEIVED FROM: The Architectural Foundation, Inc.
FOR: Filing Fee for Case No. 80-201-A
880128MAR 5 25.00MSC
VALIDATION OR SIGNATURE OF CASHIER

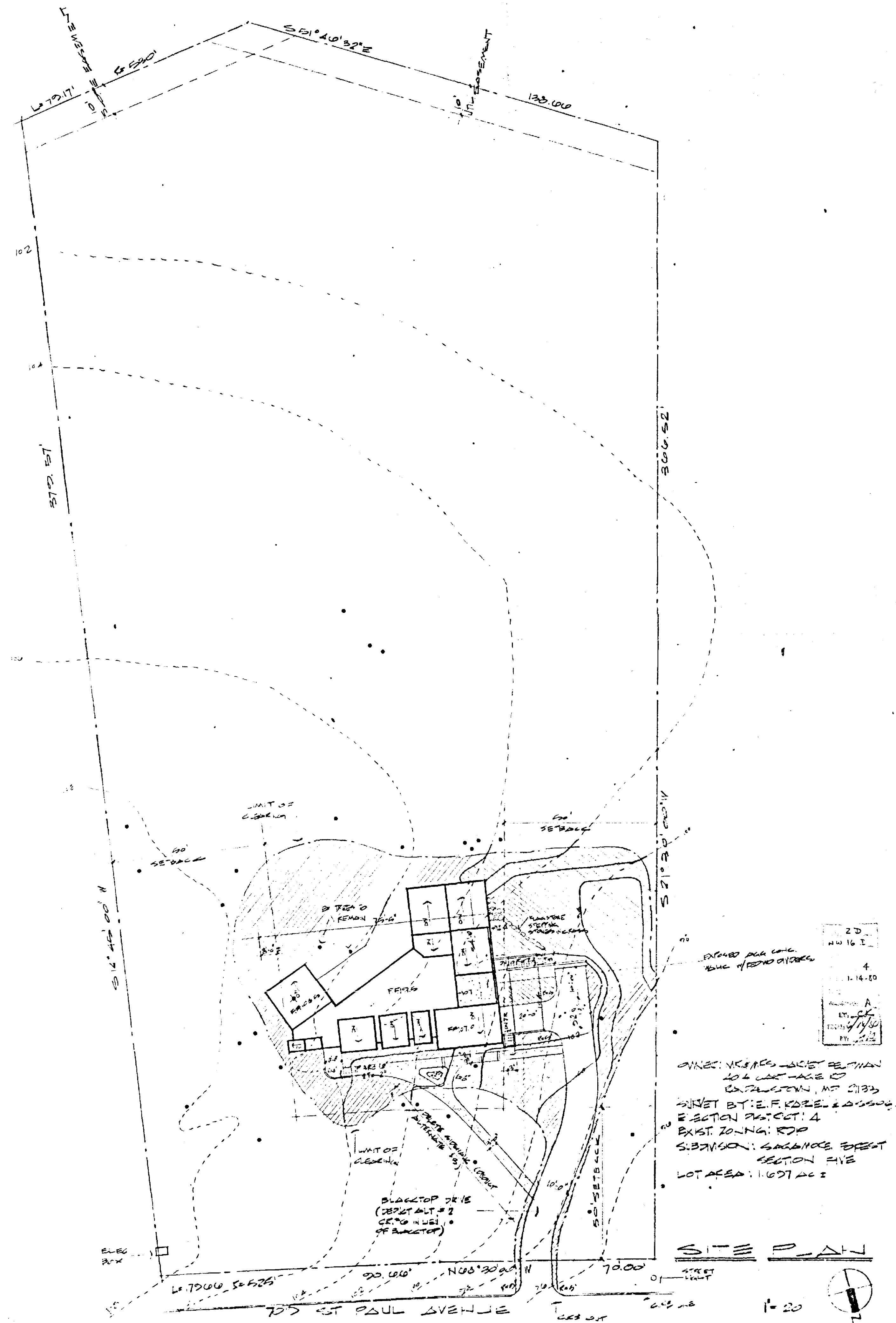
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Your Petition has been received this 14 day of March, 1980.
Filing Fee \$ 25 Received: ☒ Check
☐ Cash
☐ Other
#143
William E. Hammond
William E. Hammond, Zoning Commissioner
Submitted by Jim Brown
Petitioner's Attorney Reviewed by MP
*This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
District 4th Date of Posting MARCH 15, 1980
Posted for: PETITION FOR VARIANCE
Petitioner: HARVEY FELDMAN, ET UX
Location of property: S/S ST. PAUL AVE., 490.8' W SAGAMORE FOREST LN
Location of Signs: FRONT 709 ST. PAUL AVE.
Remarks:
Posted by Thomas K. Ralston Date of return: MARCH 21, 1980
Signature

1. X DENOTES EXIST. TREES TO BE REMOVED
2. NO TREES SHOWN UNDER U/P
3. CONTINUED SLOW TREE CARE TO PROTECT ALL TREES NOT ADDED FOR REMOVAL
4. ///// INDICATES DISTURBED AREAS TO BE ALLOWED
5. \\\\\\\ INDICATES EXPOSED AREAS TO BE SOOTED
6. DASHES INDICATES EXPOSED AGGREGATE COLLARS (S) W/ REMOVED PINPOLES
7. CONTINUED SLOW COMPARE ALL ONSITE TRAFFIC TO DRED W/ LIMIT OF CLEARING



LOCATION MAP
1"=1000'



1 + 3
80-201-A
143

PETITION FOR ZONING VARIANCE
FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Harvey & Annette Feldman, legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1401.2B.2 (1400.2B.2 & 103.2) to permit a side yard setback of 42' in lieu of the required 50'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)
This custom designed home is oriented to take maximum advantage of solar energy. To achieve this it was necessary to exceed the setback in one small area by 8'.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

DATE: April 21, 1980
ORDER RECEIVED FOR FILING

Contract purchaser	_____	Legal Owner	_____
Address	_____	Address	4014 Carthage Road
	_____		Randallstown, Maryland 21133
Petitioner's Attorney	_____	Protestant's Attorney	_____
Address	_____		_____

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd day of January, 1980 that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 1st day of April, 1980, at 10:00 o'clock A.M.

[Signature]
Zoning Commissioner of Baltimore County.

(over)

4/1/80
10:00 A.M.

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
S/S of St. Paul Ave., 490.8'
W of Sagamore Forest La., 4th District : OF BALTIMORE COUNTY
HARVEY FELDMAN, et ux, Petitioners : Case No. 80-201-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:
Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

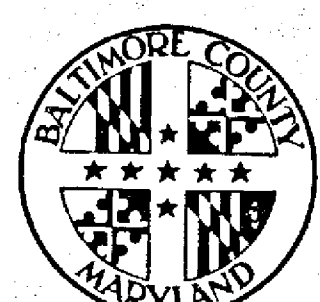
[Signature]
Peter Max Zimmerman
Deputy People's Counsel

[Signature]
John W. Hession, III
People's Counsel for Baltimore County
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 19th day of March, 1980, a copy of the foregoing Order was mailed to Mr. and Mrs. Harvey Feldman, 4014 Carthage Road, Randallstown, Maryland 21133, Petitioners.

[Signature]
John W. Hession, III

BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE



PETITION AND SITE PLAN
EVALUATION COMMENTS

Mr. & Mrs. Harvey Feldman
4014 Carthage Road
Randallstown, Maryland 21133

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 22nd day of January, 1980.

[Signature]
WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner Harvey Feldman, et ux

Petitioner's Attorney _____ Reviewed by: *[Signature]*
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

cc to
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Route Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Bureau of Education
Zoning Administration
Industrial Development

Mr. & Mrs. Harvey Feldman
4014 Carthage Road
Randallstown, Maryland 21133

RE: Item No. 143
Petitioners-Harvey Feldman, et ux
Variance Petition

Dear Mr. & Mrs. Feldman:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted. This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30 nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

[Signature]

NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:hk

Enclosures



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

February 19, 1980

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #143 (1979-1980)
Property Owner: Harvey & Annette Feldman
S/S St. Paul Ave. 490.8' W. Sagamore Forest La.
Existing Zoning: RC-5
Proposed Zoning: Variance to permit a side setback of 42' in lieu of the required 50'.
Acres: 1.697 District: 4th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements are not directly involved and are as secured by Public Works Agreement #47603, executed in conjunction with the development of "Sagamore Forest - Sections Three and Five", of which, this property comprises Lot 39, Section Five, Sagamore Forest, recorded E.H.K., Jr. 39, Folio 142.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all gradings, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #143 (1979-1980).

Very truly yours,

[Signature]
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss

cc: J. Wimbley, H. Shalowitz
W-SW Key Sheet
63 NW 35 Pos. Sheet
NW 16 1 Topo
49 Tax Map



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3211

JOHN D. SEYFFERT
DIRECTOR

March 11, 1980

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #143, Zoning Advisory Committee Meeting, January 22, 1980, are as follows:

Property Owner: Harvey and Annette Feldman
Location: S/S St. Paul Ave. 490.8' W. Sagamore Forest Lane
Existing Zoning: RC-5
Proposed Zoning: Variance to permit a side setback of 42' in lieu of the required 50'.
Acres: 1.697
District: 4th

This office has reviewed the subject petition and offers the following comments. There comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

[Signature]

John L. Wimbley
Planner III
Current Planning and Development



BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE & COUNTY HEALTH OFFICER

February 11, 1980

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #143, Zoning Advisory Committee Meeting of January 22, 1980, are as follows:

Property Owner: Harvey & Annette Feldman
Location: S/S St. Paul Ave. 490.8' W Sagamore Forest La.
Existing Zoning: RC-5
Proposed Zoning: Variance to permit a side setback of 42' in lieu of the required 50'.
Acres: 1.697
District: 4th

The proposed dwelling will be served by metropolitan water and a private sewage disposal system. Soil percolation tests have been conducted and are valid until October 9, 1980. The sewage disposal system will be located at least 120 ft. from the dwelling. In order to lower the cost of the proposed septic system, it would be advisable to repave at a location closer to the dwelling and move the septic system to that location; thereby decreasing the amount of cast iron pipe needed in construction.

Very truly yours,

[Signature]
JAN J. FERRIS, Director
BUREAU OF ENVIRONMENTAL SERVICES

LJP/rth

ORDER RECEIVED FOR FILING

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s), the Variance(s) should be had; and it further appears that the granting of the Variance requested will not adversely affect the health, safety, and general welfare of the community; and, therefore,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 2nd day of April, 1980, that the herein Petition for Variance to permit a side yard setback of forty-two feet in lieu of the required fifty feet, for the expressed purpose of constructing a dwelling utilizing solar energy, in accordance with the site plan prepared by The Architectural Foundation, Inc., and contained in this file, should be and the same is GRANTED, from and after the date of this Order subject, however, to the approval of said site plan by the Department of Public Works and the Office of Planning and Zoning.

[Signature]
Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for the Variance(s) to permit

Zoning Commissioner of Baltimore County



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PAUL H. REINCKE
CHIEF

February 8, 1980

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

Re: Property Owners: Harvey & Annette Feldman

Location: S/S St. Paul Ave. 490.8' W Sagamore Forest La.

Item No: 143 Zoning Agenda: Meeting of 1-22-80

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works. Along Saint Paul Avenue.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER *[Signature]* Noted and Approved: *[Signature]*
Planning Group Fire Prevention Bureau
Special Inspection Division

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Nick Commodari Date: January 30, 1980
FROM: Mr. Charles E. Burnham, Chief
Plans Review
Zoning Advisory Committee
Meeting of January 22, 1980
SUBJECT:

The following cases should be made aware of our standard comments unless other wise noted.

ITEM NO. 142	Standard Comment.
ITEM NO. 143	No problem - Standard Comment.
ITEM NO. 144	Not ready for inspection yet.
ITEM NO. 145	Comments
ITEM NO. 146	Comments
ITEM NO. 147	Standard Comments

[Signature]
Charles E. Burnham, Chief
Plans Review

CMB:rrj

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: January 22, 1980

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: January 22, 1980

RE: Item No: 141, 142, 143, 144, 145, 146, 147
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,
[Signature]
Mr. Nick Petrovich, Assistant
Department of Planning

MNP/dp

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. W. E. Hammond
Zoning Commissioner
John D. Seyffert, Director
Office of Planning and Zoning
FROM: Mr. W. E. Hammond
Zoning Commissioner
Office of Planning and Zoning
SUBJECT: Petition No. 80-201-A Item 143

Petition for Variance for side yard setback
South side of St. Paul Avenue, 490.8 feet West of Sagamore Forest Lane
Petitioner - Harvey Feldman, et ux

Fourth District

HEARING: Tuesday, April 1, 1980 (10:00 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

[Signature]
John D. Seyffert, Director
Office of Planning and Zoning

JDS:JGH:hb

DESCRIPTION FOR VARIANCE

BEGINNING for same at a point 490.8' west of Sagamore Forest Lane, located on the south side of St. Paul Ave. Being Lot # 38 as shown on the plat of Section Five, Sagamore Forest Property, recorded in the Land Records of Baltimore County in Plat Book EHK, Jr. No. 39, Folio 142. Also known as 709 St. Paul Avenue.

Mr. William E. Hammond
Zoning Commissioner
Room 109, County Office Building
Towson, Maryland 21204

RE: Case No. 80-201-A
Building Permit Application
No.
Election District

Dear Mr. Hammond:

We, the undersigned, being the owner of the above mentioned property and the applicant for the above referenced building permit, do hereby acknowledge that we are fully aware of your Order being subject to a thirty (30) day appeal period, but wish to go ahead with the construction of improvements on the property prior to the expiration of said appeal period.

We hereby relieve our builder, Baltimore County Maryland and you from any liability or responsibility in this matter and agree to assume any and all financial responsibility for any consequences which might arise during the appeal period if an appeal is filed after construction has begun.

Very truly yours,

[Signature]
Annette Feldman

April 21, 1980

Mr. & Mrs. Harvey Feldman
4014 Carthage Road
Randallstown, Maryland 21133

RE: Petition for Variance
S/S of St. Paul Avenue, 490.8' W
of Sagamore Forest Lane - 4th
Election District
Harve. Feldman, et ux -
Petitioners
NO. 80-201-A (Item No. 143)

Dear Mr. & Mrs. Feldman:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours,

WILLIAM E. HAMMOND
Zoning Commissioner

WEH/srl

Attachments

cc: John W. Hessian, III, Esquire
People's Counsel

PUBLIC NOTICE

PETITION FOR VARIANCE
4th District
ZONING: Petition for Variance for side yard setback.
LOCATION: South side of St. Paul Avenue, 490.8 feet West of Sagamore Forest Lane.
DATE & TIME: Tuesday, April 1, 1980 at 10:00 A.M.
PUBLIC HEARING: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:
Petition for Variance to permit a side yard setback of 42 feet in lieu of the required 50 feet.
The Zoning Regulations to be accepted as follows:
Section 1A04.3B.3 - Building setbacks.
Section 1A00.3B.3 - The minimum distance between any building in an R.D.P. zone and any lot line other than a street line shall be 50 feet.
Section 108.3 - Application of Zoning Regulations.
All that parcel of land in the Fourth District of Baltimore County beginning for same at a point 490.8 feet west of Sagamore Forest Lane, located on the south side of St. Paul Ave. Being Lot No. 38 as shown on the plat of Section Five, Sagamore Forest Property, recorded in the Land Records of Baltimore County in Plat Book EHK, Jr. No. 38, Folio 142. Also known as 709 St. Paul Avenue.
Being the property of Harvey Feldman, et ux, as shown on plat plan filed with the Zoning Department.
Hearing Date: Tuesday, April 1, 1980 at 10:00 A.M.
Public Hearing: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
BY ORDER OF
WILLIAM E. HAMMOND,
Zoning Commissioner
OF BALTIMORE COUNTY
Mar. 13.

CERTIFICATE OF PUBLICATION OF

Office of
COLUMBIA
Publishing Corp.
10750 Little Patuxent Pkwy.
Columbia, MD 21044

March 13, 1980

THIS IS TO CERTIFY, that the annexed advertisement of
Balt. County Office of Central Services
Petition for Variance 4th. District
was inserted in the following:

- ☒ Catonsville Times
☐ Arbutus Times

weekly newspapers published in Baltimore County, Maryland,
once a week for one successive weeks before
the 14th day of March 1980, that is to say,
the same was inserted in the issues of 3/13/80

COLUMBIA PUBLISHING CORP.
By: Shirley Murrell

PETITION FOR VARIANCE
4th District
ZONING: Petition for Variance for side yard setback.
LOCATION: South side of St. Paul Avenue, 490.8 feet West of Sagamore Forest Lane.
DATE & TIME: Tuesday, April 1, 1980 at 10:00 A.M.
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Being the property of Harvey Feldman, et ux, as shown on plat plan filed with the Zoning Department.
Hearing Date: Tuesday, April 1, 1980 at 10:00 A.M.
Public Hearing: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
By Order Of
WILLIAM E. HAMMOND,
Zoning Commissioner
of Baltimore County
March 13.

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 13, 1980

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., ~~once a week~~
of ~~one time~~ successive weeks before the 1st
day of April, 1980, the first publication
appearing on the 13th day of March
1980.

THE JEFFERSONIAN
L. Frank Strickler
Manager.

Cost of Advertisement, \$

PETITION MAPPING PROGRESS SHEET										
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>MP</u>	Revised Plans: Change in outline or description <u>Yes</u> Map # <u> </u>									
Previous case: <u> </u>										

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received this 14 day of March, 1980.
Filing Fee \$ 25 Received: ☒ Check
☐ Cash
☐ Other

#143

Petitioner Feldman William E. Hammond, Zoning Commissioner
Submitted by Jay Brown
Petitioner's Attorney Reviewed by MP

*This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY, IN EQUITY

Plaintiff
vs.
Defendant

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 86356

DATE March 24, 1980 ACCOUNT 01-662

AMOUNT \$43.38

RECEIVED FROM: Harvey S. Feldman

FOR: Advertising and Posting for Case No. 80-201-A

88973MAR 25 4 33 PM '80

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 86321

DATE March 4, 1980 ACCOUNT 01-662

AMOUNT \$25.00

RECEIVED FROM: The Architectural Foundation, Inc.

FOR: Filing Fee for Case No. 80-201-A

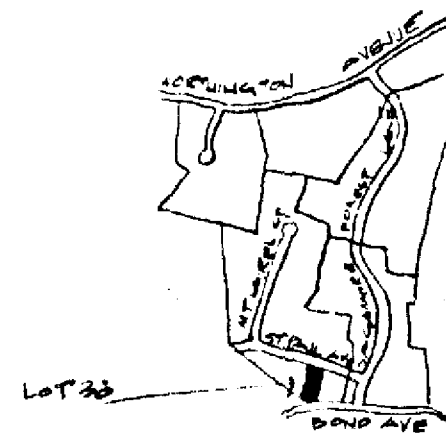
880128MAR 5 2 50 PM '80

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 4th Date of Posting MARCH 15, 1980
Posted for: PETITION FOR VARIANCE
Petitioner: HARVEY FELDMAN, ET UX
Location of property: S/S ST. PAUL AVE., 490.8' W SAGAMORE FOREST LN
Location of Signs: FRONT 709 ST. PAUL AVE.
Remarks:
Posted by Thomas K. Ralston Signature Date of return: MARCH 21, 1980

1. X₁ DENOTES EXIST. TREES TO BE REMOVED
2. NO TREES SHOWN UNDER U¹P
3. CONTRACTOR SHALL TREE CORE TO PROTECT ALL TREES NOT ADDED FOR REMOVAL
4. ~~XXXX~~ INDICATES DISTURBED AREAS TO BE ALLOWED
5. ~~XXXX~~ INDICATES EXPOSED AREAS TO BE SOOTED
6. ~~XXXX~~ INDICATES EXPOSED AGGREGATE COLLARS (S) W/ REMOVED PINPOLES
7. CONTRACTOR SHALL MAINTAIN ALL ON-SITE TRAFFIC TO DRED W/ LIMIT OF CLEARING



LOCATION MAP
1"=1000'

